

ORDINANCE NO. 2-09-08-13 9B1

AN ORDINANCE AMENDING CHAPTER 11, SECTIONS 11.415.2 AND 11.802, CODE OF ORDINANCES (1995 EDITION), CITY OF ROUND ROCK, TEXAS, REGARDING SOUTHWEST DOWNTOWN USES IN PUBLIC FACILITIES - HIGH INTENSITY DISTRICT; AND TO ADD THE DEFINITION OF "SOUTHWEST DOWNTOWN AREA"; AND PROVIDING FOR A SAVINGS CLAUSE AND REPEALING CONFLICTING ORDINANCES AND RESOLUTIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROUND ROCK, TEXAS:

I.

That Chapter 11, Section 11.415.2, Subsection (2)(b), Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to read as follows:

11.415.2 PF-3 (PUBLIC FACILITIES - HIGH INTENSITY) DISTRICT

(2) Permitted Uses

(b) The following uses are permitted with conditions:

Use	Special Standard
Commercial Parking	11.423(6)
Eating Establishments - Southwest Downtown Area only	11.423(9)(e)(i)(iii)(iv)(v)(vi)(vii)
Parking, General	11.423(6)
Group Living	11.423(13)
Hospital Heliport	11.423 (13.1)
Place of Worship (with unrestricted square footage of accessory uses)	11.423(20)(b)
Retail Sales and Services - Southwest Downtown Area only	11.423.(21)(d)
School, High	11.423(22)(c)
Schools: Business, Trade and Post-Secondary Educational Facilities	11.423(22)(d)
Self-Enclosed Monopole	11.423(31)
Utilities, Minor	11.423(27)(a)
Utilities, Intermediate	11.423(27)(b)
Utilities, Major	11.423(27)(b)
Wireless Transmission Facilities, Stealth	11.423(31)
Wireless Transmission Facilities, Attached	11.423(31)

II.

That Chapter 11, Section 11.802, Code of Ordinances (1995 Edition), City of Round Rock, Texas, is hereby amended to add the definition of "Southwest Downtown Area" to read as follows:

11.802 DEFINITIONS

Term	Definition
Southwest Downtown Area	The geographic area bounded by Interstate Highway 35 to the west, Round Rock Avenue to the north, Mays Street to the east, McNeil Road to the southeast and Lake Creek to the southwest.

III.

A. All ordinances, parts of ordinances, or resolutions in conflict herewith are expressly repealed.

B. The invalidity of any section or provision of this ordinance shall not invalidate other sections or provisions thereof.

C. The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Ordinance was adopted was posted and that such meeting was open to the public as required by law at all times during which this Ordinance and the subject matter hereof were discussed, considered and formally acted upon, all as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended.

Alternative 1.

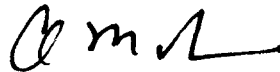
By motion duly made, seconded and passed with an affirmative vote of all the Council members present, the requirement for reading this ordinance on two separate days was dispensed with.

READ, PASSED, and ADOPTED on first reading this 13th day
of August, 2009.

Alternative 2.

READ and APPROVED on first reading this the ____ day of
____, 2009.

READ, APPROVED and ADOPTED on second reading this the
____ day of _____, 2009.



ALAN MCGRAW, Mayor
City of Round Rock, Texas

ATTEST:



SARA L. WHITE, City Secretary

DATE: August 7, 2009

SUBJECT: City Council Meeting – August 13, 2009

ITEM: 9B1. Consider an ordinance amending Chapter 11, Section 11.415.2, Code of Ordinances, the PF-3 (Public Facilities – High Intensity) zoning district, to allow limited eating establishments and retail sales uses within the Southwest Downtown Plan Area. (First Reading)

Department: Planning and Community Development

Staff Person: Jim Stendebach, Planning and Community Development Director

Justification:

The amendment allows for eating establishments and retail sales in the PF-3 zoning district within the Southwest Downtown Plan Area and provides a definition for the boundaries of that area. The conditions allowing the two uses are the same as those for the MU-1a (Mixed Use – Southwest Downtown) zoning district, with the exception of the limitation on outdoor dining after 10PM. The Planning and Zoning Commission recommended that outdoor dining in the PF-3 zoning district not be restricted in the Southwest Downtown Plan Area.

Funding:

Cost: N/A

Source of funds: N/A

Outside Resources: N/A

Background Information:

The Planning and Zoning Commission recommended approval of the amendment at their meeting on May 20, 2009 meeting.

Public Comment:

Public notice was posted and a public hearing was held in accordance with the City of Round Rock's Zoning Ordinance at the Planning and Zoning Commission meeting on May 20, 2009.